

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ADJUSTMENT OF GAS AND ELECTRIC RATES)
OF LOUISVILLE GAS AND ELECTRIC COMPANY) CASE NO. 10064

O R D E R

On December 30, 1987, Louisville Gas and Electric Company ("LG&E") filed a motion objecting to the information request propounded by Kentucky Industrial Utility Customers ("KIUC"). LG&E states that the request is burdensome and unreasonable and seeks, in the alternative, the following relief: (1) A protective Order eliminating LG&E's obligation to respond to KIUC's request; (2) the striking of KIUC's request with the right of KIUC to refile a request, limited to 30 items, seven days after LG&E responds to the Commission's information request; or (3) an extension of time from January 8 to February 5, 1988 to file responses to KIUC's request.

Based on LG&E's motion and a review of KIUC's data request, the Commission finds that LG&E's request for a protective order or to have KIUC's request limited to 30 items is unpersuasive and should be denied. LG&E's rate case presents numerous complex issues involving engineering, accounting and financial information, a substantial portion of which is available only from LG&E. The intervenors, as well as the Commission, must have access to relevant information within LG&E's possession. However,

the Commission recognizes that if a request seeks voluminous documents that are already on file with the Commission, an appropriate response would be to state the case number or other identifying reference at which the documents can be found.

The Commission further finds that good cause exists to grant LG&E a seven day extension, from January 8 to January 15, to file responses to KIUC's information request. The Commission will expect LG&E and the intervenors to attempt to resolve any future discovery related disputes, including minor adjustments in the discovery related procedural dates, on an informal basis prior to seeking Commission involvement. Any such resolutions should be reduced to writing and filed with the Commission.

IT IS THEREFORE ORDERED that LG&E be and it hereby is granted an extension of time to January 15, 1988, to file responses to KIUC's information request.

Done at Frankfort, Kentucky, this 6th day of January, 1988.

PUBLIC SERVICE COMMISSION

Richard D. Weman, Jr.
Chairman

Dr. Bob Davis respectfully
dissents from majority opinion.
Vice Chairman

ATTEST:

Gene McWilliams
Commissioner

Executive Director